



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278

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REMOVAL AND EMERGENCY
PREPAREDNESS PROGRAMS

SEP 13 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John T. Sweeney Jr., President
Nelson Galvanizing, Inc. and
Nelson Foundry Company, Inc.
11-02 Broadway
Long Island City, New York 11106

Dear Mr. Sweeney:

Enclosed you will find documents relating to several separate enforcement actions being initiated by the U.S. Environmental Protection Agency, Region II (EPA) with respect to violations of federal environmental laws at your facility located in Long Island City, New York. These are:

(1) A Complaint, Compliance Order And Notice of Opportunity For Hearing, Docket No. II RCRA-91-0206, issued pursuant to Section 3008, 42 U.S.C. § 6928, of the Solid Waste Disposal Act, as amended, for numerous violations relating to management of hazardous waste at the Long Island City facility.

(2) A Complaint and Notice of Opportunity For Hearing, Docket No. II EPCRA-91-0207, issued pursuant to Section 325(c), 42 U.S.C. § 11045(c), of Title III of the Superfund Amendments and Reauthorization Act (also known as the Emergency Planning and Community Right-to-Know Act of 1986), for several violations of the Toxic Chemical Release Inventory Reporting requirements established by 42 U.S.C. Sections 11023 and 11038, and 40 C.F.R. Part 372 at the Long Island City facility.

Although these enforcement actions are being commenced concurrently, the legal authorities under which they are brought vary to some extent, and consequently the procedures to be followed in each case may vary as well. To minimize any possible confusion, the documents relating to each enforcement action are enclosed in separate envelopes, and each package includes specific information on your rights and obligations as well as instructions on how to proceed. Each package identifies the



appropriate Environmental Protection Agency employees with whom to discuss that enforcement action. If you have any general questions about our decision to proceed with these actions simultaneously, you may call me at (212) 264-1018.

The Agency is aware that your company is undertaking work pursuant to an Order issued under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Nothing in the enclosed Complaints alters your obligation to comply with the provisions of the CERCLA Order.

Sincerely,

Walter E. Mugdan
Deputy Regional Counsel
Office of Regional Counsel

Enclosures

cc: Hon. Thomas Jorling
Commissioner, New York State
Department of Environmental Conservation

bcc: John Middelkoop, Director
Bureau of Hazardous Waste Operations, NYSDEC

Richard Williams, Esq.
Compliance Counsel, NYSDEC

Debbie Christian, Esq.
Office of Environmental Enforcement, NYSDEC

John Gorman, 2AWM-HWC
Anne Kelly, 2AWM-HWC
Stuart Keith, 2ORC-AWTS
Laura Livingston, 2OPM-PAB
Bob Small, WH-527
Michael Mintzer, 2ORC-NYSUP
Paul Kahn, ERRD
Beth Crowley, EN-342
Linda Hall, 2ES-PTS
Kim Helper, 2OEP